

# Order

Michigan Supreme Court  
Lansing, Michigan

October 8, 2021

Bridget M. McCormack,  
Chief Justice

162485

Brian K. Zahra  
David F. Viviano  
Richard H. Bernstein  
Elizabeth T. Clement  
Megan K. Cavanagh  
Elizabeth M. Welch,  
Justices

HELEN JORDAN,  
Plaintiff-Appellant,

v

SC: 162485  
COA: 349641  
MCAC: 17-000029

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES, f/k/a DEPARTMENT OF MENTAL  
HEALTH,  
Defendant-Appellee.

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On order of the Court, the application for leave to appeal the December 10, 2020 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

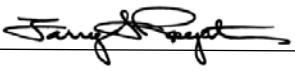
The appellant shall file a supplemental brief addressing: (1) whether the Court of Appeals correctly applied the rationale of *Staggs v Genesee Dist Library*, 197 Mich App 571, 576 (1992), when it distinguished *Staggs* on the basis that it involved one-time treatment rather than ongoing treatment; (2) whether the magistrate's decision to recognize that appellant has suffered a "loss of wage earning capacity" can be reconciled with the magistrate's decision to "give greater weight to Dr. Mayer's findings" when his findings included that there was "no need for work restrictions"; and (3) the extent to which these questions can be resolved on appeal when applying the proper standards of review between the magistrate, the Michigan Compensation Appellate Commission, and the judiciary, or if they must be resolved by the magistrate in the first instance. The appellant's brief shall be filed by January 31, 2022, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 8, 2021

  
Clerk